

RECEIVED
CENTRAL FAX CENTER

AUG 17 2005

PTO/SB/97 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

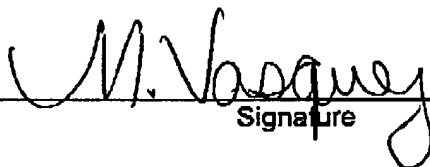
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to facsimile no. 571-273-8300.

on AUGUST 17, 2005
Date


Signature**MELANIE G. VASQUEZ**

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

ATTACHED HERETO FOR SERIAL NO. 10/722,920:

1. Amendment and Response to Office Action [15 pages]
- 2.
- 3.
- 4.
- 5.

TOTAL PAGES INCLUDING FACSIMILE TRANSMITTAL: 16

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

HARTFORD: 5181589.01

AUG 17 2005

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Facsimile No. 571-273-8300

Date: August 17, 2005

Name: Melanie G. Vasquez

Signature: **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of Donald G. Russell

Serial No.: 10/722,920

Filing Date: 11/26/2003

For: Markers, Methods of Marking, and Marking
Systems for Use in Association with Images

) Examiner: Yaritza Guadalupe

) Confirmation No.: 1172

) Group Art Unit: 2859

) Docket No.: 98005.00012

AMENDMENT AND RESPONSE TO OFFICE ACTION

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner Guadalupe:

This amendment with remarks is submitted in response to the Office Action dated May 17, 2005. Reconsideration and allowance of the claims is respectfully requested in view of the following amendments and remarks.